

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL ROGERS,

Defendant.

**8:20-CR-204**

**PRELIMINARY ORDER OF  
FORFEITURE**

This matter is before the Court on the United States of America's Motion for Preliminary Order of Forfeiture ([Filing 37](#)). The Court has reviewed the record and finds as follows:

1. Defendant Michael Rogers entered into a Plea Agreement ([Filing 31](#)) whereby he agreed to enter a plea of guilty to Counts One and Four and the Forfeiture Allegation of the Indictment.
2. Counts One and Four charge Defendant with conspiring to distribute and possession with intent to distribute methamphetamine, in violation of [21 U.S.C. §§ 841\(a\)\(1\)\(A\)](#) and 846.
3. The Forfeiture Allegation charges Defendant with using the \$4,618 in U.S. currency to facilitate the offenses, and/or that the currency was derived from proceeds obtained directly or indirectly as a result of the commission of the offenses.
3. By virtue of his pleas of guilty, Defendant has forfeited his interests in the subject currency. Accordingly, the United States should be entitled to possession of said currency pursuant to 21 U.S.C. § 853.
4. The Motion for Preliminary Order of Forfeiture should be granted.

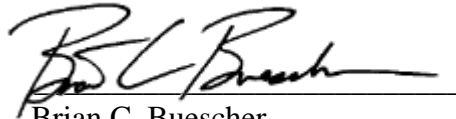
IT IS THEREFORE ORDERED:

1. The United States of America's Motion for Preliminary Order of Forfeiture ([Filing 37](#)) is hereby granted;
2. Based upon the Forfeiture Allegation of the Indictment and Defendant's pleas of guilty, the United States is hereby authorized to seize the \$4,618 in U.S. currency;
3. Defendant's interest in the \$4,618 in U.S. currency is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1);
4. The United States shall hold the currency in its secure custody and control;
5. Pursuant to 21 U.S.C. § 853(n)(1), the United States shall publish notice of this Preliminary Order of Forfeiture for at least thirty consecutive days on an official internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov). The United States may also, to the extent practicable, provide direct written notice to any person known to have an interest in the currency;
6. Pursuant to [21 U.S.C. § 853\(n\)\(2\)](#), such notice shall provide that any person, other than Defendant, having or claiming a legal interest in any of the property must file a petition with this Court within 30 days of the final publication of notice or of receipt of actual notice, whichever is earlier;
7. Pursuant to [21 U.S.C. § 853\(n\)\(3\)](#), a petitioner must sign the petition under penalty of perjury and set forth the nature and extent of the petitioner's right, title or interest in the property and any additional facts supporting the petitioner's claim and the relief sought; and

8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

Dated this 19th day of January, 2021.

BY THE COURT:



Brian C. Buescher  
United States District Judge